

Exhibit A

PARTIES' PROPOSED CLAIM CONSTRUCTIONS

Parties' Proposed Claim Constructions

| U.S. Patent Nos. 5,715,314 and 5,909,492 | | | | |
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| | Claim Term, Phrase, or Clause and Patent(s) and Claim(s) in which it appears | Constr. Requested By | Soverain's Proposed Construction | Defendants' Proposed Construction(s) |
| 1. | <p>Buyer computer for operation by a user desiring to buy products</p> <p>'314 patent: claims 34, 39</p> <p>'492 patent: claim 17, 18, 35, 36</p> | defendants | <p>a computer for operation by a user desiring to buy products</p> <p>where "computer" means a functional unit that can perform substantial computation, including numerous arithmetic operations or logic operations without human intervention</p> | computer operated by a user desiring to buy products |

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| 2. | Being programmed to receive a plurality of requests from a user '314 patent: claims 34 '492 patents: claims 17, 35 | Soverain | containing a set of instructions for receiving a plurality of requests from a user | having software capable of receiving plurality of requests from a user |
| 3. | Shopping cart computer '314 patent: claims 34, 35, 39, 49, 74, 84, 109, 134, 144 '492 patent: claims 17, 18, 35, 36 | defendants | a computer processing data associated with one or more shopping carts <i>See</i> construction of "computer" in term 1 | <u>Systemax & TigerDirect</u> a computer processing data associated with one or more shopping carts but is not operated by an operator of a merchant computer <u>Newegg</u> A single computer (not a collection of computers), separate from a computer providing product descriptions to a user. (Adopt Amazon's construction ¹) |

¹ See Exhibit E.

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| 4. | Shopping cart database '314 patent claims 34, 39 '492 patents claims 17, 18, 35, 36 | defendants | a database of stored representations of collections of products where "database" means a collection of logically related data stored together in one or more computerized files | A single database (not a collection of databases) containing shopping cart records. (Adopt Amazon's construction) |
| 5. | Shopping cart message '314 patent: claims 34, 39, 84, 144 '492 patent: claims 17, 18, 35, 36 | defendants | a message concerning a shopping cart <i>See</i> term 6 | a standard HTTP request message send by the buyer computer to the shopping cart computer which causes the shopping cart computer to modify content of a shopping cart |
| 6. | Shopping cart '314 patent: claims 34, 36, 39 '492 patent: claims 17, 18, 35, 36 | defendants | a stored representation of a collection of products | A database record containing data that identifies multiple products that have been selected by a customer. (Adopt Amazon's construction) |

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| 7. | Plurality of products added to . . . shopping cart / [Add a] plurality of respective products to a shopping cart '314 patent: claims 34, 36, 39 '492 patent: claim 17, 18, 35, 36 | defendants | product identifiers which are added to an instance of a shopping cart in the shopping cart database / [add] identifiers of respective products to an instance of a shopping cart <i>See terms 4, 6</i> | All products previously added to the shopping cart upon the request of the buyer, whether or not later deleted from the shopping cart. (Adopt Amazon's construction) |
| 8. | Payment message '314 patent: claims 34, 35, 39, 49, 74, 109, 134 '492 patent: claim 17, 18, 35, 36 | defendants | a message relating to a payment for one or more products | a standard HTTP request message containing an authenticated user's payment information and sent to the buyer computer, relating to a payment for one or more products |

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| 9. | To cause said payment message to be activated to initiate a payment transaction '314 patent: claims 34, 39 '492 patent: claim 17, 18, 35, 36 | defendants | to cause an action associated with said payment message to initiate a payment transaction <i>See</i> term 8 | upon request of the authenticated user, the buyer computer causes the submission of said payment message |
| 10. | A Shopping Cart URL '314 patent: claims 60, 65, 120, 125 | defendants | a URL concerning a shopping cart <i>See</i> term 6 | a standard HTTP request message send by the buyer computer to the shopping cart computer which causes the shopping cart computer to modify content of a shopping cart and includes URL with a product identifier, a domain identifier, a payment amount, a merchant computer identifier, a merchant account identifier, a duration time, an expiration time, and a shopping cart URL authenticator |
| 11. | Hypertext link '492 patent: claim 15, 16 | defendants | a non-sequential web association which the user can use to navigate through related topics | text in a document that forms a navigational element pointing, for example, to another document, or form, or resource |

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| 12. | A statement URL '492 patent: claim 41, 76 | defendants | a URL concerning a statement | a standard HTTP request message with URL to the Statement Document including its path on the server on which it resides and the protocol to be used in accessing it |
| 13. | A transaction log identifier '492 patent: claims 67, 102 | defendants | a text string that identifies a transaction log | Indefinite |
| 14. | an initiator number '492 patent: claims 67, 102 | defendants | a number concerning an entity starting a funds transfer | Indefinite |
| 15. | a beneficiary number '492 patent: claims 67, 102 | defendants | a number concerning an entity receiving a funds transfer | Indefinite |

| U.S. Patent No. 6,272,639 | | | | |
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| | Claim Term, Phrase, or Clause and Patent(s) and Claim(s) in which it app | Constr. Requested By | Soverain's Proposed Construction | Defendants' Proposed Construction(s) |
| 16. | Service request '639 patent: claims 1, 10, 60, 65, 78, 79 | defendants | a solicitation of services from a client to a server. A service request may entail the exchange of any number of messages between the client and the server. | An HTTP request message as defined by the HTTP method as it existed on June 7, 1995. (Adopt Amazon's construction) |
| 17. | Session identifier '639 patent: claims 1, 10, 47, 63, 78, 79 | defendants | a text string that identifies a session <i>See</i> term 18 | A value with multiple fields whose cryptographic authentication indicates to an access-controlling server that the client identified in the session identifier is authorized to access the requested file. (Adopt Amazon's construction) |
| 18. | Session '639 patent: claims 1, 10, 47, 63, 78, 79 | defendants | a series of requests and responses to perform a complete task or set of tasks between a client and a server system | all requests to and responses from the server system made during a period of communications between a particular client and the server |
| 19. | Appending the stored session identifier to each of the subsequent distinct requests '639 patent: claim 1 | defendants | tagging, adding, affixing or supplementing the stored session identifier to each of the subsequent distinct requests <i>See</i> terms 16, 17 | all requests to and responses from the server system made during a period of communications between a particular client and the server |

| U.S. Patent No. 6,272,639 | | | | |
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| 20. | Validating, at the server system, the appended session identifier '639 patent: claim 47 | defendants | at the server system, determining the validity of the appended session identifier <i>See terms 17, 19</i> | checking that the session identifier is valid without resort to information stored elsewhere, such as in the server system |
| 21. | user identifier '639 patent: claim 60 | defendants | a text string that identifies a user | a string of characters that uniquely identifies a user to a system |
| 22. | A purchase request / a request for purchase '639 patent: claim 60 | defendants | One or more messages requesting a purchase | a service request including a user identifier in which a buyer initiates a payment transaction for product(s) the buyer wishes to purchase |

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| 23. | Accessing, upon receipt of the purchase request at the server system, user information associated with the user identifier sufficient to charge an account associated with the user '639 patent: claim 60 | defendants | upon receipt of the purchase request at the server system, obtaining access to user information associated with the user identifier sufficient to charge an account associated with the user <i>See term 22</i> | retrieving user information previously stored at the server system |
| 24. | Charging the user . . . according to the user information '639 patent: claim 60 | defendants | charging an account associated with the user according to the user information | debiting an account associated with the buyer |
| 25. | Fulfilling the purchase request based on the user information '639 patent: claim 60 | defendants | carrying out the purchase request based on the user information <i>See term 22</i> | providing the purchased product to the buyer based on the user information stored at the server system |

| U.S. Patent No. 6,272,639 | | | | |
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| 26. | Creating, responsive to the initial service request, the session identifier '639 patent: claim 79 | defendants | producing, in response to the initial service request, the session identifier <i>See terms 17, 29</i> | creating, based on a type of the first request for service, the session identifier |
| 27. | Hyperlink '639 patent: claim 62 | defendants | a non-sequential web association which the user can use to navigate through related topics | a navigational element pointing, for example, to another document, or form, or resource |
| 28. | An identifier of a purchaser '639 patent: claim 62 | defendants | a text string that identifies a purchaser | a string of characters that uniquely identifies the purchasing party |
| 29. | Initial service request '639 patent: claims 10, 79 | Soverain | the first service request in a session <i>See terms 16, 18</i> | the first request for service |
| 30. | Controlled document '639 patent: claim 47 | Soverain | a document that can be accessed when one or more conditions are met | a document for which authentication is required |